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SIPDIS

STATE FOR WHA/PPC, WHA/AND, AND G/TIP

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SUBJECT: ECUADOR CONTINUES TO MOVE FORWARD ON TIP

REF: QUITO 2447

1. Summary. Ecuador continues its strong fight against trafficking in persons (TIP), commercial sexual exploitation of minors (CSEM), and child pornography and has made additional progress since the last update. Congress is reviewing penal code reforms to change the definition of a minor to a child under 18 years of age and strengthen the GOE's laws against TIP. Efforts to develop victim services continue, and a shelter will open in Machala by the end of October. The police continue to conduct raids on prostitution houses and nightclubs on a regular basis. A number of newspaper articles also illustrated the importance of TIP in Ecuador. End Summary.

PENAL CODE REFORMS SENT TO CONGRESS

2. On September 6, the President sent a bill with penal code reforms to Congress. (The bill was emailed to WHA/PPC on September 15.) The bill was drafted by the Ministry of Government and references the Inter-American Convention on International Traffic in Minors, the U.N. Protocol on TIP, and the U.N. Convention on Organized Crime. The bill changes the definition of a minor to a child under 18 years of age. It also allows the government to confiscate money and property gained from illegal prostitution, TIP, pornography and CSEM. Clients of illegal prostitutes, persons who partake in sex tourism, and elements of the tourism industry that support sex tourism can be prosecuted.

3. The Ambassador hosted a lunch for Codel Weller and members of Congress's Ecuadorian-American interests group on August 12. The Ecuadorian congresspeople initiated discussion of TIP and child pornography. They expressed their support of anti-TIP legislation, and the Embassy will maintain Congressional contact to facilitate passage of the bill.

VICTIM SERVICES A PRIME CONCERN

4. PolOff met with ILO Director Magne Svartbekk on September 13. He said the ILO's headquarters in Geneva is currently approving a proposal to open a shelter for TIP victims in Machala. In the ILO's 2002 report, Machala was the third worst city in Ecuador for CSEM. The shelter is expected to open by the end of October, and PolOff will visit it soon after it opens.

5. On September 14, the political section hosted a lunch to bring together NGOs and GOE officials to discuss services for TIP victims. The participants analyzed the special needs of TIP victims and potential solutions. Lack of funding is a prime concern, but USAID is committed to showing the GOE how existing resources can be used to help victims. The Embassy will continue to meet with these groups and encourage them to design a realistic plan for providing services.

FREQUENT RAIDS FIND MINORS IN PROSTITUTION HOUSES

6. The unit of the police dedicated to protecting minors, DINAPEN, conducted an additional 33 raids from August 27 to September 1. DINAPEN carried out these operations in brothels and nightclubs where minors work as prostitutes and rescued 30 minors. The Embassy's DHS and AID offices will continue to assist DINAPEN in finding social services for rescued minors. (Reports were faxed to WHA/PPC on September 15.) Highlights from the reports include the following information:

--On August 27, police found 11 adolescents in a nightclub in Manabi province.

--On September 1, four minors were found at an establishment in Guayas province.

SUBSTANTIAL PRESS COVERAGE OF TIP CONTINUES

7. TIP and child pornography continued to receive substantial press coverage. Recent articles include:

-- September 7: Quito's center-left "Hoy" (circ: 38,500) announced that the President presented TIP penal code reforms

to Congress. The article reports that the President urged Congress to analyze the proposals and pass them quickly. -- Quito's center-right "El Universo" (circ: 140,000), the country's most circulated newspaper, consistently updated the status of the Joseph Day child pornography case in a series of articles. The most recent article was written on September 10. The paper often has written articles about this case for several days in a row.

-- September 11: According to "Hoy", the municipal government of Quito stated that registered prostitution houses have one month remaining to move to non-residential areas zoned for prostitution. Residents of one neighborhood voiced their strong support for the zoning changes and said they would not allow sexual businesses to reopen in their neighborhood despite the industry's opposition.

-- September 15: Quito's newspaper of record "El Comercio" (circ: 80,000), one of Ecuador's most prominent newspapers, reported that the city of Riobamba has developed a plan to assist adolescents engaged in prostitution. Labor inspectors raided one prostitution house where minors work and discovered the facilities were in disrepair and had neither electricity nor potable water. PolOff will follow up with municipal government officials to learn more about the plan and what services it will provide.

-- September 15: Guayaquil's centrist "El Expreso" (circ: 28,000) highlighted the Ministry of Government's actions to combat child pornography and sexual tourism after a computer expert found two child pornography websites originating in Quito. One website touted child prostitutes from different regions of Ecuador as exotic and specifically catered to sex tourism. PolOff spoke with Carlos Jativa in the Ministry and confirmed the GOE's plan to combat the problem: an enlargement of DINAPEN, filters to find hidden child pornography websites, and by the end of October, a law to exclusively penalize child pornography over the internet and hold internet service providers responsible.

18. Comment. The GOE continues to do an impressive job of moving forward in the fight against TIP. Officials remain committed to changing and strengthening the existing laws. Social services providers are progressing on plans for a shelter in Machala and a pilot project in Santo Domingo, both of which should open in October. Additional training is necessary, but the ILO has CSEM training planned for the end of the month, which PolOff will attend. The Embassy will continue to work with GOE officials and NGOs to ensure Ecuador continues to make significant progress against TIP. End Comment.
KENNEY